

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

JAMES HOWARD MCLEAN,)	
)	
Plaintiff,)	
)	
v.)	1:16CV991
)	
CAPTAIN SANDRA MILLER, et al.,)	
)	
Defendants.)	

ORDER

The Order and Recommendation of the United States Magistrate Judge was filed with the court in accordance with 28 U.S.C. § 636(b) and, on June 15, 2018, was served on the parties in this action. (ECF. Nos. 53, 54). Both parties objected to the Recommendation. (ECF. Nos. 55, 56).

The court has appropriately reviewed the portions of the Magistrate Judge's report to which objections were made and has made a de novo determination which is in accord with the Magistrate Judge's report. The court therefore adopts the Magistrate Judge's recommendation.

IT IS THEREFORE ORDERED that Defendants' Motion for Summary Judgment, (ECF No. 47), be GRANTED as to Captain Miller and DENIED as to Officers Gooselin, Prevatte, Strickland and Sergeant Hudson.

This, the 25th day of July, 2018.

/s/ Loretta C. Biggs
United States District Judge